

**HARRIS BEACH** PLLC  
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July 14, 2020

**VIA NYSCEF**

Hon. Elizabeth A. Wolford  
United States District Judge  
Kenneth B. Keating Federal Building  
100 State Street  
Rochester, New York 14614

RE: CitiView Towne Crossing Shopping Center  
v. Aissa Medical Resources L.P. and Dr. Ramin R. Samadi  
Case No.: 6:20-CV-06002 EAW

Dear Judge Wolford:

As you know, our firm represents Plaintiff CityView in the above action. On July 2, 2020, in compliance with your Decision and Order dated June 10, 2020, we filed a Fee Affidavit [ECF 28]<sup>1</sup> detailing the fees and costs incurred by Plaintiff relating to the motion to transfer venue and motion for remand in the amount of \$24,888.00 for attorneys' fees, \$1,367.78 for costs, and \$900.00 for preparing the Affidavit.

It has been brought to our attention that we provided Plaintiff a courtesy discount in the amount of \$2,105.50 for some of the same work. Attached is a service summary of Invoice 2356348 showing that discount. It was an oversight on our part not to include this discount in our attorney fee calculation. As a result, the amount of attorneys' fees actually charged our client is \$22,782.50, not \$24,888.00. Our client's costs in the sum of \$1,367.78 and \$900.00 for preparing the Affidavit remain unchanged. We apologize for any inconvenience this mistake may have caused.

Also, we respectfully request that the Court's Order make clear that Guarantor, Dr. Ramin Samadi, is jointly and severally liable for the above fees and costs. For the Court's convenience, an additional copy of Dr. Samadi's 2008 Guaranty is attached. As the Court will see, paragraph (g) of that Guaranty clearly provides that Dr. Samadi's "liability shall be primary and joint and several with that of Tenant."

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<sup>1</sup> Capitalized terms not defined herein are defined in the Fee Affidavit.

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**HARRIS BEACH** <sup>PLLC</sup>  
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Thank you.

Respectfully yours,

HARRIS BEACH PLLC

A handwritten signature in black ink, appearing to read 'Dale A. Worrall', enclosed within a large, loopy oval shape.

Dale A. Worrall

DAW:bdr

cc: Sean C. McPhee, Esq.

Attachments

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